

ORDINANCE No. _____, SERIES 2006

AN ORDINANCE CHANGING THE ZONING FROM R-R SINGLE FAMILY RESIDENTIAL TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) ON PROPERTY LOCATED AT 2500, 2510, AND 2600 SOUTH ENGLISH STATION ROAD, CONTAINING 117.1 ACRES AND BEING IN LOUISVILLE METRO (DOCKET NO. 9-19-06DRO) (AS AMENDED).

SPONSORED BY: COUNCILWOMAN MADONNA FLOOD

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Commission and its staff as set out in the minutes and records of the Planning Commission in Docket No. 9-19-06DRO; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Docket No. 9-19-06DRO and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records, with the following additional binding elements:

25. The applicant agrees to delay construction on lots 1-13 of the detached homes, and lots 1-15 on the zero lot line homes and connection to English Station Road to the north of the development through the end of calendar year 2007 to allow for Metro government's completion of a Master Transportation Plan for the area, which will be subject to public review and comment. In the event the Master Transportation Plan recommends roadway improvements that would impact the development, the applicant agrees to cooperate with Metro in its implementation of the Plan.

26. In the event the Kentucky Transportation Cabinet has been unable to finance and construct the addition of left turn lanes (which will also require a bridge expansion) on Taylorsville Road at its intersection with Pope Lick Road, the applicant agrees to do one of the following to bring about the addition of these lanes prior to the recording of more than 100 buildable lots on this project:

a. If the Kentucky Transportation Cabinet or Louisville Metro Government is willing to complete the turn lanes and has only partial funding to finance the project, the applicant will contribute up to 50% of the cost (up to \$250,000) of making the improvements on a schedule determined by the Cabinet.

b. In the event the Kentucky Transportation Cabinet or Louisville Metro Government is unable to participate in the construction of the turn lanes, the applicant agrees to

i. Limit the total number of building permits for dwelling units proposed for the development to 100 units until such time as the left turn lanes are installed, or

ii. The applicant may complete the development upon payment to Metro of 50% of the estimated cost (using an estimate provided by Metro) up to \$250,000 for purposes of future completion of the lanes.

In any case, the developer agrees to not seek a credit under the System Development Charge Ordinance for the improvements to Taylorsville Road.

NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

Section I: That the property located at 2500, 2510, and 2600 South English Station Road, containing 117.1 acres and being in Louisville Metro, more particularly described in the minutes and records of the Planning Commission in Docket No.

9-19-06DRO is hereby changed from R-R Single Family Residential to Planned Residential Development (PRD), provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Docket No. 9-19-06DRO and the additional binding elements as set forth above.

Section II: This Ordinance shall take effect upon passage and approval.

Kathleen J. Herron
Metro Council Clerk

Kevin J. Kramer
President of the Council

Jerry Abramson
Mayor

Approved: _____
Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney

By: _____